



CITY OF LODI

COUNCIL COMMUNICATION COUNCIL COMMUNICATION

AGENDA TITLE: Consider the appeal of Gary L. Skipton, 1617 Fallbrook Way, of the Lodi Planning Commission's denial of his request for a **Zoning** Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at that address, (APN 062-330-79) in an area zoned P-D(26), Planned Development District No. 26.

MEETING DATE: June 3, 1992

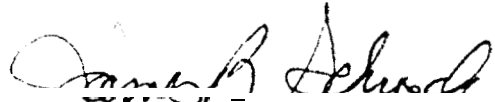
PREPARED BY: Community Development Director

RECOMMENDED ACTION: that the City Council consider the appeal of Gary L. Skipton, 1617 Fallbrook Way, of the Lodi Planning Commission's denial of his request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit the construction of a two-car garage at that address (APN 062-33-79) in an area zoned P-D(26), Planned Development District No. 26 and take the appropriate action.

BACKGROUND INFORMATION: The requested Variance, if approved, would permit the existing two-car attached garage into a family room.

After hearing the request the Planning Commission denied the Zoning Variance because a "Zoning Hardship" did not exist.

FUNDING: None required.


James B. Schroeder
Community Development Director

JBS/cg

Attachments

APPROVED: _____



THOMAS A. PETERSON



CITY COUNCIL

JAMES W. PINKERTON, Mayor
PHILLIP APENNINO
Mayor Pro Tempore
DAVID M. HINCHMAN
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

April 14, 1992

Mr. Gary L. Skipton
[REDACTED]

Dear Mr. Skipton:

RE: Zoning Variance (A-92-05)
Reduce Rear Yard Setback
1617 Fallbrook Way

At its meeting of Monday, April 14, 1992 the Lodi City Planning Commission denied your request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two car garage at 1617 Fallbrook Way (APN 062-330-79) in an area zoned P-D(26), Planned Development District No 26.

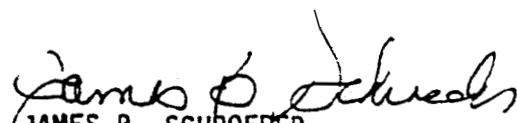
In denying your request the Planning Commission determined that a "Zoning Hardship" as defined in Section 17.72.030 of the Lodi Municipal Code (Zoning Ordinance) did not exist.

Section 17.72.110 of the Lodi Municipal Code provides as follows:

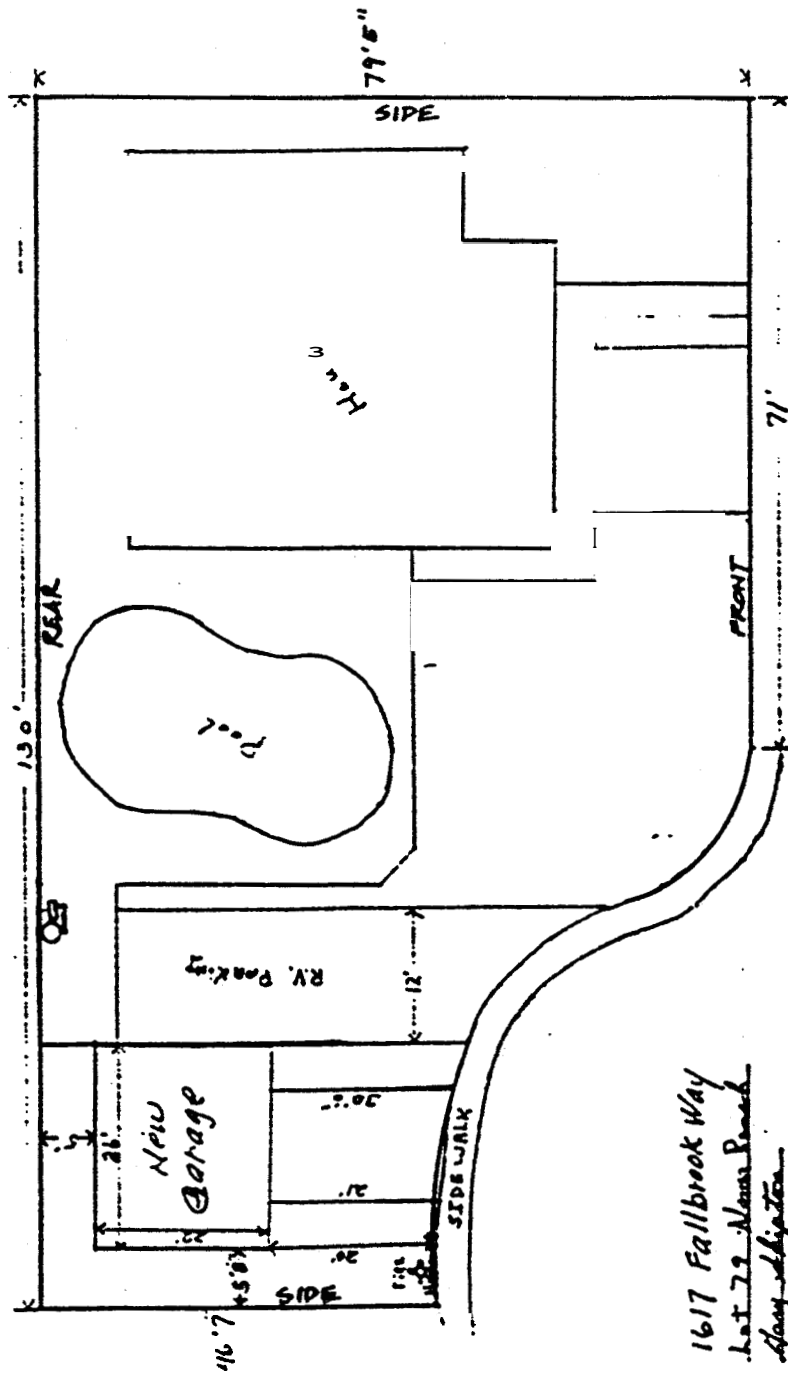
"Any applicant or person claiming to be directly and adversely affected by any action of the Planning Commission may, within 5 days (i.e. working days) after the action, file a written appeal with the City Clerk for transmittal to the City Council."

Your appeal, if any, must be in writing and should be directed to Alice M. Reimche, City Clerk, P.O. Box 3006, Lodi, CA 95241-1910, and must be received by her before 5:00 p.m. Monday, April 20, 1992.

Sincerely,

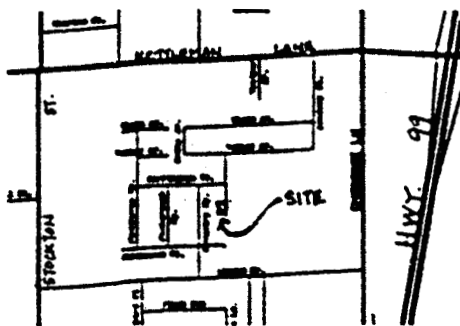

JAMES B. SCHROEDER
Community Development Director

City Clerk



FALLBROOK WAY

1617 Fallbrook Way
Lot 79 - New Pool
Along side of lot



VICINITY MAP



Gary L. Skipton

Reduce Rearyard Setback
Requirement & Build a
Detached Structure Within
The Front Half of a Lot
1617 Fallbrook Way

A-92-05

04-13-92



COMMUNITY DEVELOPMENT
DEPARTMENT

VARIANCE APPLICATION

APPLICANT

Name GARY I. SKIPTON

File No. A-92-05

Phone () 339-8632

Address [REDACTED]

Signature Gary I. Skipton

Date 2-14-92

PROPERTY OWNER (If different from above)

Name _____

Phone () _____

Address _____

I hereby certify that I am the owner of record of the property described below, or have authorization to act in behalf of the owner, that I approve of the action requested herein.

Signature & Gary Skipton

Date 2-14-92

PROPERTY LOCATION

Address 1617 FALLBROOK WAY LODI

APN _____ Size _____

Present Zoning Designation _____

Present Land Use home site

REQUEST

I would like to build a two car garage on the south end of my property. See Attached Statement.

PAID

MAR 9 1992

FOR OFFICE USE ONLY

Application Received by _____
Date: 6-92

Assigned Planner _____

Tentative Hearing Date 4-13-92

City of Lodi
Receipt No. 10701
Application Fee \$ 25-
Environmental Review Fee 50-
TOTAL FEES \$ 75-

SEE BACK FOR IMPORTANT INFORMATION

VARIANCE APPLICATION REQUEST

We would like to build a two car garage on the south end of our property. This garage would be 26' wide X 22' deep. Due to the configuration of the culdesac the majority of the circle is taken from our side of the street. This limits the area available for our use. Our lot measures 79' 6" on the north end, 130' across the west side, and 46' 7" on the south end of the lot. The garage would set 5' from the south boundary, 5' from the west boundary and 20' from the sidewalk on the front of the property at the narrowest end. The purpose of building this garage is to allow us to convert the existing garage into a family room/den.

Approval of the Variance is needed because the current laws state that a new building must be at least 10' from the back property line. We would need to be 5' from the back property line for the garage to be used for normal sized vehicles.

Because of the location of the new garage it would not in any way interfere with anyone else's property.

CITY COUNCIL

JAMES W. PINKERTON, Mayor

PHILLIP A. PENNINO

Mayor Pro Tempore

DAVID M. HINCHMAN

JACK A. SIEGLOCK

JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 334-5634

FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

May 7, 1992

Mr. Gary L. Skipton

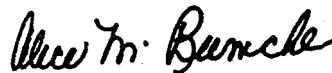
Re: Zoning Variance (A-92-05)
Reduce Rear Yard Setback
1617 Fallbrook Way, Lodi

Dear Mr. Skipton:

Please be advised that the Lodi City Council at its meeting of May 6, 1992 set a public hearing at 7:30 p.m., June 3, 1992 in the Carnegie Forum, 305 West Pine Street, Lodi to consider your appeal of the Planning Commission's denial of your request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at 1617 Fallbrook Way, Lodi (APN 062-230-79) in an area zoned P-D(26), Planned Development District No. 26.

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,



Alice M. Reimche
City Clerk

AMR/jmp

CITY COUNCIL


JAMES W. PINKERTON, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
DAVID M. HINCHMAN
JACK A. SIEGLOCK
JOHN R. (Randy) WIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

June 5, 1992

Mr. Gary L. Skipton



Re: Zoning Variance (A-92-05)
Reduce Rear Yard Setback,
1617 Fallbrook Way, Lodi.

Dear Mr. Skipton:

This letter will confirm action taken by the Lodi City Council at its regular meeting of June 3, 1992 whereby the City Council, following a public hearing on the matter granted your appeal of the Planning Commission's denial of your request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at 1617 Fallbrook Way, Lodi (APN 062-230-79) in an area zoned PD (26), Planned Development District NO. 26.

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,


Alice M. Reimche
City Clerk

cc: James B. Schroeder, Community Development Director ✓

DECLARATION OF MAILING

On May 8, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 8, 1992, at Lodi, California.

Alice M. Reimche
City Clerk

Jennifer M. Perrin
Jennifer M. Perrin
Deputy City Clerk

DEC/01
TXTA. FRM



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 3, 1992

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk

Telephone: 333-6702

NOTICE OF PUBLIC HEARING

June 3, 1992

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) Appeal of Gary L. Skipton, 1617 Fallbrook Way, Lodi of the Lodi Planning Commission's denial of his request for a Zoning Variance to reduce the required rear yard setback from 10 feet to 5 feet to permit construction of a two-car garage at that address (APN 062-330-79) in an area zoned P-D(26), Planned Development District No. 26.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

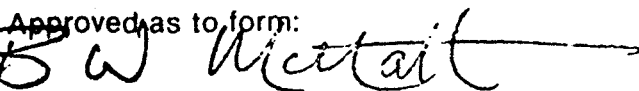
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:


Alice M. Reimche
City Clerk

Dated: May 6, 1992

Approved as to form:


Bobby W. McNatt
City Attorney

APPEAL FROM SKIPTON
HAILING LIST
EXHIBIT B

Mr. Gary L. Skipton
1617 Fallbrook Way
Lodi, CA 95242

James B. Schroeder
Community Development Director